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PART IV

Section 1-C

NOTIFICATIONS, RULES, ORDERS, ETC., ISSUED UNDER CENTRAL ACTS AND ORDINANCES WHICH APPLY TO MYSORE.

MYSORE PUBLIC SERVICE COMMISSION REGULATION, 1950.

No. L.D. 1088—Legis. 39-49-1, dated Bangalore, the 16th February 1950.

In exercise of the powers conferred by article 318 of the Constitution of India, the Rajpramukh of Mysore, His Highness the Maharaja, is pleased to make the following regulation :—

PART I

PRELIMINARY

1. (1) This regulation may be called the Mysore Public Service Commission Regulation, 1950.

(2) It shall come into force at once.

2. In this regulation, unless there is anything repugnant in the subject or context—

(*a*) "Constitution" means the Constitution of India ;

(*b*) "Commission" means the Mysore Public Service Commission established under the Constitution ;

(*c*) "Member" means a Member of the Commission and includes the Chairman thereof.

PART II

COMPOSITION, CONDITIONS OF SERVICE, ETC., OF THE COMMISSION AND ITS STAFF.

3. The Commission shall consist of a Chairman and two other Members.

4. There shall be paid to the Chairman a salary calculated at the rate of one thousand and five hundred rupees per mensem and to each of the other Members a salary calculated at the rate of one thousand and two hundred rupees per mensem.

Provided that a Member, who on the date of entering on his duties as such was in the service of the Government of the State, shall be paid the salary and allowances to which he would otherwise be entitled from time to time in such service;

Provided further that a Chairman or any other Member who is a retired Government servant shall not be entitled to draw a salary in addition to his pension, more than the salary fixed in this clause for a Chairman or Member as the case may be.

5. (1) A Member who on the date of entering on his duties as such was in a service of or held a post under the Union or a State shall, until he retires from such service or post, continue to be governed by the leave rules applicable to him in such service or post and his service as Member shall count for leave in accordance with those rules. After such retirement, he shall be governed in respect of leave by sub-clause (2) of this clause as if he were a Member who had entered on his duties as such immediately after such retirement.

(2) A Member who on the date of entering on his duties as such was not in the service of the Union or a State may be granted leave as follows:—

(*a*) Leave on leave salary equivalent to full pay up to one-eleventh of the period spent on duty as a Member, subject to a maximum of three months at any one time and subject to a maximum leave salary of one thousand and five hundred rupees per mensem in the case of the Chairman

and one thousand and two hundred rupees per mensem in the case of any other Member.

(*b*) Leave on medical certificate on leave salary equivalent to half pay up to a total period of two months.

(*c*) Extraordinary leave without allowances, subject to a maximum of two months at any one time.

Explanation.—More than one kind of leave mentioned in this clause may be granted in combination at any one time.

Provided that a Member who enters on his duties as such immediately after his retirement from a service of or a post under, the Union or a State shall be entitled to carry forward the leave which remained to his credit at the time of such retirement up to a maximum of six months expressed in terms of leave on average pay and to take that leave, on such terms and on such conditions as were admissible under the rules in accordance with which it was earned, in combination with any or all of the kinds of leave mentioned in this clause.

6. A member shall be entitled to travelling allowance for journeys made by him in the performance of his functions at the rates, and subject to the conditions, specified in the Mysore Service Regulations as in force from time to time.

For the purposes of the Mysore Service Regulations, the Chairman of the Commission shall be the head of a department in respect of other Members of the Commission.

7. No pension shall attach to the office of a Member as such, but in the case of a Member who at the date of his appointment was in the service of the Union or a State the period of his service as Member shall, until he retires from such service, count for pension under the rules applicable to the service to which he belongs. After such retirement he shall be entitled to the salary specified in clause 4 as if he were a Member who had entered on his duties as such immediately after such retirement.

8. There shall be a Secretary to the Commission who shall be appointed by the Commission with the previous approval of the Rajpramukh.

9. (1) There shall be paid to the Secretary, a monthly salary calculated at the scale of Rs. 300—25—500.

(2) The initial salary of a person appointed as Secretary to the Commission shall be fixed in accordance with the provisions of Mysore Service Regulations for the time being in force, and the previous sanction of the Rajpramukh shall be necessary for fixing the initial salary of any such person otherwise than in accordance with those rules.

(3) The Commission shall not, without the previous sanction of the Rajpramukh grant any premature increment of pay to a person holding the post of Secretary.

10. Subject to the provisions of clause 9, the Secretary to the Commission shall, in the matter of his pay, allowances including travelling allowances, leave, leave salary, pensions and other conditions of service be governed by the Mysore Service Regulations and the Public Servants' Conduct Rules for the time being in force.

For the purpose of the above Regulation and rules the Chairman of the Commission shall be head of the department, provided that he may delegate such functions as he deems fit to any other Member.

11. (1) Subject to the provisions of clause 12, the Commission may in its discretion employ, in addition to the Secretary, such persons as it may deem necessary for the effective discharge of its functions and on such scales of pay as it may determine.

(2) The initial salary of any person so employed shall be fixed in accordance with the provisions of the Mysore Service Regulations for the time being in force and the previous sanction of the Rajpramukh shall be necessary for fixing the initial salary of any such person otherwise than in accordance with those Regulations.

(3) The conditions of service of persons employed by the Commission under this clause shall, save as expressly provided therein, be the same as those prescribed by the State Government in respect of Government servants holding corresponding appointments elsewhere than in the office of the Commission.

(4) The Chairman shall be the person competent to make appointments, promotions and transfers subject to the provisions of the Mysore Service Regulations and to sanction leave, travelling allowance and pension in

respect of all members of the staff of the Commission other than the Secretary.

12. The Commission may, and it is hereby empowered to, incur expenditure in any financial year up to an aggregate sum determined by the State Government from time to time,—

(*a*) for the employment of the persons whom it is authorised to employ under clause 11 ;

(*b*) towards contingencies, supplies and services ; and

(*c*) towards other expenses connected with its work including the travelling allowances of the members of the Commission, the Secretary, and other Members of its staff.

13. In respect of any matter for which special provision is not made by this regulation, the conditions of service of a person serving as a member of the Commission or of its staff shall be governed by the rules and orders applicable to such classes of Government Servants as shall be specified by the Rajpramukh.

14. Until the Commission appoints the Members of the staff under clauses 8 and 11, persons who immediately prior to the commencement of this Regulation were members of the staff of the office of the Public Service Commissioner in Mysore shall continue to be members of the staff of the Commission.

JAYA CHAMARAJA WADIYAR.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,
Legal Remembrancer and
Secretary to Government,
Law Department.

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